IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors:

T. HARUGUCHI, et al.

Application No.:

New Patent Application

Filed:

September 30, 2003

For:

OPTICAL PICKUP DEVICE AND OPTICAL DISK DEVICE

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents and Trademarks Washington, DC 20231

Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the reference(s) listed on the attached Form PTO 1449. JP '829 is discussed in the background section of the application at page 1, line 17 et seq.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: September 30, 2003

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JEL/apg

ATTORNEY DOCKET NO. <u>L8612.03102</u>

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FORM PTO-1449 U.S. Department of Commerce (Rev. 4/92) Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO. SERIAL NO. L8612.03102 Unassigned **APPLICANT** T. HARUGUCHI, et al.

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U.S. PATENT DOCUMENTS														
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EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.